"Combining the Two Prayers: Sectarian Polemics in the Juridical Literature"

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The emergence of distinct Shi'i legal and theological schools can be traced to the time of the fifth Shi'i imam, Muhammad al-Baqir (d. 735). Respected by and contemporary to many Sunni jurists in Medina and Kufa, he is credited with laying the foundations of what was subsequently called the Ja'fari school of law. Al-Baqir is also the first Shi'i figure from whom a vast corpus of *hadith* in the legal field has been transmitted. His legal pronouncements were later elaborated on by his son, the sixth Shi'i imam, Ja'far al-Sadiq (d. 765) after whom the school was named. Al-Sadiq was contemporary to prominent Sunni jurists like Abu Hanifa (d. 767) and Malik b. Anas (d. 795). Al-Baqir and al-Sadiq are also credited with enunciating Shi'i theological doctrines like the doctrine of the imamate, the infallibility and esoteric knowledge of the imams, and other related doctrines.

The formation and crystallization of distinct Shi'i theological and legal schools in the seventh and eighth centuries precipitated disputations between the Shi'is and their adversaries. In this paper, I will initially discuss sectarian polemics in the eighth and ninth centuries as stated in Shi'i and Sunni polemical and heresiographical texts. I will also examine the role that the disciples (the *rijal*) of the imams played in the elaboration of Shi'i dogma and their engagement in polemical discourses.

In the second section of the paper, I propose to examine sectarian polemics in contemporary times. More specifically, I will discuss the differences between the Shi'is and Sunnis on the question of combining the daily prayers that they offer. To highlight the debate

on the issue, I will translate a portion of a tract written by a prominent Shi‘i scholar of the last century, Sharaf al-Din al-Musawi (d. 1957).

Sectarian Polemics in the Classical *Hadith* Literature

An important *topos* that is stressed in Shi‘i juridical, heresiographical, and biographical literature is that the imams trained their close associates to perform various functions on their behalf.[1] The *rijal* also participated in the polemical disputations in the sectarian milieus of Baghdad and Kufa. In the eighth and ninth centuries, Shi‘i beliefs and practices came under increasing attack, especially from the Mu‘tazilis, who refuted the central doctrine of the imamate as it was promulgated by the Shi‘is. The Mu‘tazilis' disputations were predicated mainly on *kalam* (speculative theology) arguments and other forms of rational tools to vindicate their doctrinal positions.

The *rijal* saw the need to respond with equally sophisticated tools of reasoning and methodological terminologies. Hisham b. al-Hakam (d. 807), for example, did not confine his disputations to the traditions from the imams since these genres of traditions and style of argumentation would not have been accepted by his interlocutors. In his discussion with an Mu‘tazili interlocutor, ‘Amr b. ‘Ubayd (n.d.), Hisham is reported to have argued, based on rational premises, the need for a divinely-guided imam at all times.[2] Other disciples also developed *kalam*-based arguments in their discourses, arguing, for example, on the rational basis of the imam and other traits of the imams. Due

[1] See Liyakat Takim, "Authority Construction in Biographical Texts: The Cases of Humran b. A‘yan and Mu'min al-Taq" in *International Journal of Shi‘i Studies*, 1 (2003).

[2] Muhammad b. Ya'qub Kulayni, *Al-Kafi fi ‘Ilm al-Din* (Tehran: Daftar Farhang Ahl al-Bayt, n.d.), 1:239.

to this factor, like their Mu‘tazili counterparts, Shi‘i theologians were labeled as *mutakallimun* (theologians).

Topics that were at the nexus of Mu‘tazili and Ash‘ari discussions were also debated by eighth and ninth century Shi‘is.[3] The *rijal* defined, articulated, and defended Shi‘i beliefs, discussing, in the process, questions such as the creation of the Qur’an, anthropomorphism, the nature and extent of God’s ‘*ilm*, the need for an imam, and the infallibility of the prophets and imams.

The names and views of the disciples who were engaged in these discussions are cited in both Sunni and Shi‘i texts. In his *al-Farq bayn al-Firaq*, al-Khatib al-Baghdadi (d. 1037) mentions some of the eminent theologians who were affiliated to al-Sadiq. These included figures like Zurara b. A‘yan (d. 767) and Hisham b. al-Hakam.[4] Other prominent Shi‘i theologians at this time included figures like Muhammad b. ‘Ali b. al-Nu‘man (n.d.) and Hisham b. Salim al-Jawaliqi (n.d.). Their views are mentioned and refuted in theological tracts, like those of al-Ash‘ari’s (d. 935) *Maqalat al-Islamiyyin* and Khalifa al-Khayyat’s (d. 913) *Kitab al-Intisar*. A study of these works indicates that the views the *rijal* propounded were well known when the tracts were compiled in the ninth century.[5] A comparison of Sunni and Shi‘i sources further corroborates the view that the *rijal* participated in the

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[3] See the example cited by Mehdi Mohaghegh, “Al-Sharif al-Murtada and the Defense of the Imamate,” in *The Shi‘ite Heritage: Essays on Classical and Modern Traditions*, ed. Lynda Clarke (Binghamton: Global, 2001), 125.

[4] ‘Abd al-Qadir al-Baghdadi, *al-Farq Bayn al-Firaq*, 3rd ed. (Beirut: Dar al-Afaq al-Jadida, 1978), 43-49.

[5] Wilferd Madelung, “The Shi‘ite and Kharijite Contribution to pre-Ash‘arite Kalam,” in *Islamic Philosophical Theology*, ed. Parvez Morewedge (Albany: SUNY, 1979), 121.

intellectual discourses and contributed to the crystallization and articulation of an elaborate Shi‘i belief system.

The view that the disciples of the imams engaged in debates with their interlocutors on theological issues is corroborated in many other reports. Along with other disciples like ‘Ali b. Maytham Tammar (n.d.)[6] and al-Sakkak[7] (n.d.), Hisham al-Hakam participated in a symposium arranged by Yahya al-Barmak (d. 805) in Harun al-Rashid’s court.[8] According to the historian al-Mas‘udi (d. 957), Hisham discussed the question of the imamate, that is, whether it should be based on divine appointment or *ikhtiyar* (the imam was to be chosen by the people).[9] Ibn Qutayba (d. 889), a prominent scholar of the *ahl al-hadith*, notes that Hisham debated with Abu’l-Hudhayl (d. 840), al-Nazzam (d. 836), and al-Najjar (d. 836), three prominent Mu‘tazili theologians.[10]

The significance and impact of the contribution of the *rijal* in the realm of intellectual discourse is further underscored by the fact that their arguments were refuted by their opponents. An important Mu‘tazili thinker who wrote on the imamate was al-Jahiz (d. 868/69). In his ‘*Uthmaniyya* and other works, he refutes Shi‘i positions in great detail. His views were later refuted by Ibn al-Rawandi (d. 859), a Mu‘tazili who converted to Shi‘ism. Although the works of al-Jahiz and Ibn al-Rawandi are not extant, al-Khayyat’s theological tract provides us

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6 On whom see Muhammad b. Ja‘far Tusi, *Kitab al-Fihrist* (Qum: 1983), 87.

7 See Muhammad b. Ishaq b. Nadim, *Kitab al-Fihrist*, trans. Bayard Dodge (New York: Columbia University Press, 1970), 1:439.

8 ‘Ali b. Husayn al-Mas‘udi, *Muruj al-Dhahab wa Ma‘adin al-Jawhar* (Qum: Dar al-Hijra, 1983), 3:372.

9 Ibid., 3:371.

with much information on the views of eighth and ninth century Shi‘is and those of their Mu‘tazili opponents. In fact, it is possible to reconstruct from this work outlines of the debates between Ibn al-Rawandi and al-Jahiz, and the views advanced by the *rijal*.

The *rijal* are reported to have played an active role in promulgating many Shi‘i doctrines and refuting the views of their adversaries. Another important Shi‘i jurist-cum-theologian of the ninth century was Fadl b. Shadhan (d. 870). Within Shi‘i circles, Fadl was known as a proficient jurist and an extremely effective theologian. An author of one hundred and eighty books, many of his works appear to be polemical in nature, embodying vitriolic attacks on beliefs held by opponents. He is reported to have refuted beliefs held by the Mu‘tazilis, Murji‘is and the *ghulat* (extremists). Fadl is also reported to have written against the philosophers and refuted the Hashwiya (extreme traditionalists).[11]

The titles of his works indicate that Fadl was a proponent of major Shi‘i doctrines like those of the imamate and *raj‘a* (the belief in the return of the imams before the end of time). Fadl is also reported to have composed important tracts on juridical practices that differentiate the Shi‘is from the Sunnis. He defended Shi‘i practices like *mut‘a* (marriage for a fixed duration) and the wiping of the feet (*mash al-khuffayn*) during the ritual ablution.[12]

Besides arguing for various doctrines, Shi‘i sources indicate that the *rijal* had specialized in different fields of discourse. Aban b. Taghlib (d. 758) was reportedly an expert in Arabic grammar, Zurara in jurisprudence, al-Ahwal in *kalam,* al-Tayyar (n.d.) in *al-istita‘a* (human

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10 ‘Abd Allah b. Muslim b. Qutayba, *Ta’wil Mukhtalif al-Hadith* (Beirut: Dar al-Jil, 1972), 14. On Hisham's discussions with Abu'l-Hudhayl, see also al-Mas‘udi, *Muruj*, 4:21-22.

11 Christopher Melchert, “The Imamis Between Rationalism and Traditionalism,” in *The Shi‘ite Heritage*, 275-76.

capacity to perform acts), Hisham b. Salim al-Jawaliqi in *al-tawhid* (the principle of God's unity) and Hisham b. al-Hakam on the imamate.[13] 'Ali Maytham al-Tammar is also reported to have had discussions with the Mu'tazili 'Ali al-Aswari on the imamate.[14] Ibn al-Rawandi (d. 859), who wrote almost a century after these *rijal*, copiously quotes and defends the views of Hisham b. al-Hakam. Similarly, later Shi'i theologians like al-Mufid (d. 1022), al-Murtada (d. 1044), and Tusi (d. 1067) elaborate on most of the doctrinal positions that were discussed by eighth century Shi'is.

The foregoing discussion indicates that the polemical function of the *rijal* is confirmed in ninth century Sunni texts where the *rijal* are accused of defending and vindicating beliefs related to the imamate. Apart from the beliefs in anthropomorphism and creation of God's '*ilm*, no attempt was made by subsequent Shi'is to refute the charges leveled at their *rijal* in the Sunni works. On the contrary, the Shi'is cited many traditions to support these beliefs, whose provenance is mentioned in the Sunni texts to lie in second century Rafidism. Most doctrines, like those of *nass*, the infallible qualities of the imam, and *raj'a*, were accepted by the Shi'is as originating from the imams, although they were transmitted, articulated, and defended by the *rijal*.

Polemics in the Legal Field

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12 Tusi, *Fihrist*, 124-25; Ahmad b. 'Ali Najashi, *Kitab al-Rijal* (Qum: Maktaba al-Dawari, 1976), 216-17.

13 Muhammad b. 'Umar Kashshi, *Ikhtiyar Ma'rifa al-Rijal*, ed. al-Mustafawi (Mashad: Danishgahi Mashad, 1969), 276.

14 'Abd al-Rahim b. Muhammad al-Khayyat, *Kitab al-Intisar Wa'l-Radd 'ala Ibn al-Rawandi al-Mulhid* (Beirut: Dar Qabis, 1986), 75.

Sectarian differences were not restricted to the theological realm. Rather, sectarianism manifested itself in the legal field too. An important characteristic of the Islamic legal experience of the time was its pluralistic nature. The *rijal* contributed to the pluralistic ambience of Islamic law since the training they received from the imams enabled them to engage in a creative legal discourse and to participate in the juristic culture that was centered around the developing legal tradition in Islam.

The presence of distinctive Shi‘i legal views and practices is mentioned by Khalifa al-Khayyat in his *Kitab al-Intisar*. Referring to the Shi‘i opposition to the community, he states, "[Their opposition] is evident from their [divergent] beliefs concerning ritual purity, prayers, the *adhan* (call to prayer), the number of units of prayers, the *tashahhud* (a part of the prayer that entails testifying to God's unity and the prophecy of Muhammad), and the obligatory acts. It is as if the Prophet who was sent to us was different from the one sent to them."[15] The final remark poignantly demonstrates the existence of divergent Shi‘i legal practices in the ninth century when al-Khayyat was writing. He attributes the origins of these practices to the Shi‘is of the eighth century.

Many reports within Shi‘i circles indicate that, as trained representatives of the imams, the Shi‘i disciples' erudition in the legal field empowered them to challenge the juridical positions of other schools of law. In one instance recorded by Kashshi, when a woman posed a question to Abu Hanifa as to whether it was permissible to extract a living child out of the womb of a mother who had just died, Abu Hanifa admitted his incompetence in ruling on the issue. He directed her instead to Muhammad b. Muslim al-Thaqafi (d. 767) and asked her to inform him of Muhammad's response. Muhammad answered her question

[15] Ibid., 117.

based on a tradition that he had heard from Muhammad al-Baqir.[16] The report depicts the preponderance of the knowledge of the *rijal* over that of the other imams in Kufa. It also portrays the *rijal* as loyal associates of the imams who transmitted their legal teachings in the form of *hadith* reports, whereas other jurists in Kufa resorted to arbitrary reasoning in the formulation of legal opinions.

The foregoing discussion indicates that in the sectarian milieu of eighth and ninth century Iraq, the *rijal* played a prominent in vindicating distinct Shi'i theological and legal points. In the discourses with their interlocutors, the disciples focused on various topics of theology that were anchored on the central doctrine of the imamate. By framing their discourses and performing other tasks related to their positions as the deputies of the imam, the *rijal* constructed a normative basis through which 'orthodox' views and beliefs could be distilled and differentiated from those espoused by their opponents. In the course of their disputations, the disciples of the imams constructed boundaries of identity and exclusion. This legacy of defending Shi'i beliefs and refuting the arguments of opponents has continued in modern times.

Sectarian Polemics and the Timings of the Daily Prayers

In this section, I will discuss an important, yet hitherto largely ignored issue of the combination of daily prayers. An important point of distinction between Shi'i and Sunni juristic discourse is the view held by Shi'i jurists (*fuqaha*') that it is permissible to combine the *zuhr* (noon) and '*asr* (afternoon) prayers. They have also allowed the combination of the *maghrib* (evening) and '*isha*' (night) prayers. The Qur'an itself mentions only three times of

[16] See the full tradition as cited by Kashshi, *Ikhtiyar*, 162-63.

prayers. Verse 17:78 states, “Undertake the prayer when the sun begins to decline up to the darkness of the night and the morning prayer; surely the morning recital is witnessed.”

While all Muslims agree that five prayers have been stipulated in Islamic law, the time at which these prayers should be offered has been disputed. Before discussing the question of why Shi‘is and Sunnis differ on the issue of combining daily prayers, it is important to comprehend the differences between them regarding the timing of the daily prayers. This is because the question of whether prayers can be combined or not is interwoven with the time at which they can be offered.

The four Sunni schools of law and the Shi‘i school concur that a prayer is not valid if it is performed before its appointed time. As far as the time of the *zuhr* prayer is concerned, all schools agree that the time for the prayer begins when the sun passes the meridian. However, they differ concerning its duration.

According to the contemporary Shi‘i jurist, Ayatullah al-Seestani, the time for *zuhr* and ‘*asr* prayers is from when the sun starts declining at midday until sunset.[17] For the Shi‘is, the period stipulated specifically for the *zuhr* prayer extends from the moment the sun crosses the meridian up to the time it takes to perform four cycles (*rak‘a)* of prayers. The Shi‘is also state that the time specified for the ‘*asr* prayer is the duration required to perform four cycles of prayers just before the sunsets. The period between these two times is seen as a period shared (*al-musktarak*) between the two *salat*

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17 Ayatullah al-Uzama Syed Ali al-Husaini Seestani, *Islamic Laws*: *English Version of Taudhihul Masae’l* (London: The World Federation, 1994), 140-41.

(prayers). Due to the concept of shared time, the Shi‘is maintain that it is permissible to combine the prayers during this period.[18]

The four Sunni schools differ from the Shi‘is in that they do not discuss the concept of shared time. They maintain that the time for the *zuhr* prayer begins when the sun crosses the meridian and continues until the shadow of an object becomes as long as its height. When the length of the shadow exceeds the height of the object, the time for the *zuhr* prayer comes to an end. The Shafi‘is and the Malikis differ from the other Sunni schools of law at this point. They add that these limits are applicable for one who has the choice to offer the prayers at these times. As for one who is constrained and is not able to offer the *zuhr* at this time, the time for *zuhr* prayer extends even after an object's shadow equals its height.[19]

As for the ‘*asr* prayers, the Malikis say that two times have been stipulated. The first is for ordinary circumstances and the second for a person who is not able to pray at this time. The former begins when an object's shadow exceeds its height and lasts until the sun turns pale. The latter begins from when the sun turns pale and continues until sunset.[20]

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18 Muhammad al-Jawad Maghniyya, *The Five Schools of Law* (Qum: 1995), 64. However, if a person has not prayed *zuhr* until the end of it’s time, and the period left before the time elapses allows only one prayer to be offered, he will first offer ‘asr prayers.

19 Ibid.

20 Ibid. The Hanbalis maintain that one who delays offering the *'asr* prayer until after an object's shadow exceeds twice its height, his *salat* will be considered valid if it is performed before sunset, though he will have sinned because it is a sin to delay it until this time. They are alone in all the schools in holding this opinion, ibid.

It is clear that, even within the Sunni schools of law, there are differences regarding the permissibility of offering prayers outside the appointed time. It should be noted here that the Shi‘is consider the time when an object's shadow equals its height as the best time (*fadila*) for offering the *zuhr*, and when it equals twice the height of the object as the time of *fadila* for the ‘*asr* prayer.[21] Hence even the Shi‘is consider it preferable, though not obligatory, to separate rather than combine their prayers.

The Time for *Maghrib* and ‘*Isha*’ Prayers

The Sunni schools of law also differ among themselves regarding the times of the evening and night prayers. The Shafi‘i and the Hanbali schools state that the time for the *maghrib* prayer begins when the sunsets and ends when the reddish glow in the western horizon vanishes. The Malikis, on the other hand, maintain that the duration for the *maghrib* prayer is confined to the time required after sunset to perform the *maghrib* prayer along with its preliminaries of performing the ritual washing (*tahara*) and the call to prayer (*adhan*). They further state that it is not permissible to delay the *maghrib* prayer voluntarily. However, in case of an emergency, the time for the *maghrib* prayer extends until dawn. The Malikis are alone in considering it impermissible to delay the *maghrib* prayer beyond this initial time.[22]

The Shi‘is differ with the Sunnis here too. According to Ayatullah Seestani, the obligatory precaution is that as long as the redness in the eastern sky appearing after sunset

21 Ibid.

22 Ibid., 65.

has not passed overhead, the *maghrib* prayers should not be performed.[23] Hence the Shi'is do not offer *maghrib* prayers immediately after the sunsets.

The Shi'is also state that the period specific to the *maghrib* prayer extends from a few minutes after the sun has set to the time required to recite three cycles of prayers and the specific period of the *'isha'* prayer is the duration required to offer four cycles (*rak'a*) just before midnight. The time between these two specific periods is the common time for both *maghrib* and *'isha'* prayers. Hence, like the afternoon prayer, they allow the combination of these two prayers during this shared period.[24]

The Shi'is further state that if a person is not able to offer the prayers at these times then they can be offered until dawn, with the period specific for the '*isha*' prayer being the time required to perform it just before dawn and the period specific for the *maghrib* prayer being the time required to perform it just after midnight.[25]

The Time for the Morning Prayer

With the exception of the Malikis, the Sunni schools agree that the time for the morning prayer begins at daybreak *(al-fajr al-sadiq)* and lasts until sunrise. The Malikis say that the morning prayer has two times. For one who is not constrained in any way, the time for the prayer begins with daybreak and lasts until there is enough twilight for faces to be recognized; for one who is constrained and is not able to pray at these times,

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23 Seestani, *Islamic* Laws, 140-41.

24 Maghniyya, *Five Schools*, 65; Seestani, *Islamic* Laws, 141.

25 Seestani, *Islamic* Laws, 140-41.

the Malikis state that the time for the prayer begins from the time when faces are recognizable and continues up to sunrise.[26]

There is little difference between the Shi‘is and the Sunnis on the time for offering the morning prayers. Ayatullah Seestani states that just before dawn, a column of whiteness rises from the east. It is called the first (and false) dawn. When this whiteness spreads, it is called the second dawn. This is the prime time for offering the morning prayer. The time for this prayer elapses when the sun rises.[27]

It is clear that while all schools agree on the number of daily prayers, the times at which they may be offered has been a subject of considerable debate even between the Sunni schools of law. As we shall see, based on traditions from the imams and prophetic practices, the concept of shared time has enabled Shi‘i jurists to permit the combination of prayers under any circumstances. Sunni jurists, on the other hand, have permitted the combination of prayers under certain circumstances only.

Contemporary Polemics: Sharaf al-Din al-Musawi and the Combination of Prayers

In this section, I propose to translate Sharaf al-Din’s chapter on the combination of prayers. It is here that the genre and impact of sectarian discourses, with the refutation and counter-refutation of arguments, will become evident. Sharaf al-Din al-Musawi employs Sunni *hadith* and juridical literature to prove the validity of Shi‘i practices. This is an important method that Shi‘i scholars have used to vindicate the validity of their practices.

26 Maghniyya, *Five Schools*, 66.

27 Seestani, *Islamic* Laws, 141

Sayyid ‘Abd al-Husayn Sharaf al-Din al-Musawi was born in Kadhimiyya, Iraq, in the year 1872 C.E. where his father had emigrated to study from Jabal ‘Amil, Lebanon. After receiving his primary education in Southern Lebanon, Sharaf al-Din pursued his religious studies at a Shi‘i seminary in Najaf, Iraq. In 1904, he qualified to attain the level of *ijtihad* (independent reasoning in legal issues) at the age of 32, and returned to his home in Jabal ‘Amil after having been away for fifteen years. Later, the highest ranking religious authority in Lebanon, Sayyid ‘Ali al-Amin, authorized him to issue *fatawa* (juridical rulings).

Although he was both a social worker and political figure, Sharaf al-Din was known primarily for his scholarship. A perusal of his writings indicates that he was well versed in both Shi‘i and Sunni texts and could provide textual evidence of Shi‘i beliefs and practices from Sunni canonical sources. Sharaf al-Din also struggled to bring Muslims together. In the year 1910 he published *al-Fusul al-Muhimah fi Ta'lif al-Ummah*, a book which underlined the necessity to unite Muslims. In this text, he addressed certain sectarian issues. In 1911 he visited Egypt and met Shaykh Salim al-Bishri, the head of al-Azhar. The outcome of their discussions and long correspondence was the book *al-Muraja'at*, a seminal work on doctrinal issues that contains his correspondence with the Egyptian scholar. This text, translated as “The Right Path” has been recognized and widely circulated in the Muslim world and has been translated into twenty languages. *Al-Muraja'at* is one of the best-known books in Shi‘i polemics and has been printed ten times. Many scholars consider this work as one of the best expositions of Twelver Shi‘i doctrines. Sayyid Sharaf al-Din died in the year 1957. The following is a translation of the first chapter of his *Masa’il Fiqhiyya*, a juridical tract that seeks to prove the validity of Shi‘i legal practices based primarily on Sunni sources.

Combining the Two Prayers[28]

There is no difference - between all the Islamic schools of thought among the *ahl al-qibla* [people who worship towards Mecca] - in allowing the combination of the two obligatory prayers, *al-zuhr* and *al-'asr*, at 'Arafa at the time of the noon (*al-zuhr*) prayer. Technically, this is [called] *jam' al-taqdim* (the preceding combination). Similarly, there is no difference between them in allowing the combination of the two obligatory [prayers] - *al-maghrib* and *al-'isha'* - at al-Muzdalifa at the time of the '*isha*' [prayers].[29] Technically, this is called *jam' al-ta'khir* (the delayed combination).[30] There is no difference [among the scholars] in preferring these two combinations. Indeed, they are among the prophetic practices. However, they (the scholars) have differed as to the permissibility of combining the prayers in other instances.

The point of disagreement here is the permissibility of combining two obligatory prayers by performing them together at the time stipulated for one of them either by bringing it forward (*taqdiman)* as at 'Arafa or by delaying it (*ta'khiran*) like the combination in al-Muzdalifa.

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28 Unless indicated otherwise, henceforth, all the footnotes are translations of Sharaf al-Din's text.

29 The consensus (*ijma')* of the *ahl al-qibla* in allowing the combination [of prayers] at 'Arafa and al-Muzdalifa is restricted to the pilgrims. As for [the ruling for] non-pilgrims, there is some dispute [on the issue].

30 This is because of the delaying of the prayer of *al-maghrib* from its stipulated time and combining it with *al-'isha* at [the latter's] stipulated time. Similarly, the combination [of prayers] at 'Arafa is [called] *jam' al-taqdim* as the *'asr* prayer is brought forward from it's [stipulated time] and is combined with the *zuhr* at it's [stipulated] time.

The imams from the family of Muhammad, peace be upon them,[31] have declared that this is permissible at all times although it is better to separate them. Their followers (Shi‘as) have followed them in this [ruling] at all times and places. Most of the time, they combine *al-zuhr* and *al-'asr* and [also] *al-maghrib* and *al-‘isha*’, whether they are traveling or at home, whether they have an excuse [to combine] or without an excuse. *Jam' al-taqdim* and *jam' al-ta'khir* are equally valid for them [at all times].

As for the Hanafis, they have prohibited the combination [of prayers] absolutely except when combining them at ‘Arafa and al-Muzdalifa. [This is] despite the presence of numerous clear *sahih* (authentic) traditions which allow the combination, especially when traveling. However, despite the clear [traditions] they interpreted them to refer to an unintentional combination (*al-jam' al-suri*). The invalidity of this [view] will become clear to you soon, God willing.

As for the Shafi‘is, Malikis, and Hanbalis, they have allowed it (the combination) when traveling although there are differences between them. Otherwise, they are not allowed to combine except for [genuine] excuses, for example, when there is rain, soil, in sickness, and if there is any fear. There are also differences between them on the conditions which constitute traveling which can be [termed] legal.[32]

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31 Translator’s note - When they cite the name of the Prophet, it is customary for Muslims to invoke the blessings of God on him. I will indicate this invocation by shortening the term peace be upon him to the letter P in parenthesis.

32 This is because some of them have stipulated that the journey be for attaining closeness [to Allah] (*qurba*) like the pilgrimage or the lesser pilgrimage (*'umra*) and expeditions etc., not otherwise. Among them are those who have stipulated that the journey be lawful (*mubah*), not one which is for a sinful purpose. Others have stipulated a specific distance of traveling, others have not stipulated anything. Therefore, combining the prayer is allowed for any type of journey and for any reason. The details are in their [works of] jurisprudence.

Our proofs which we rely on between us and our God, the Almighty, on this and on other issues are the authentic [traditions] from our imams, peace be upon them. We shall argue with the masses (*jumhur*) by referring to their authentic traditions since they clearly point to what we claim. For us, sufficient proofs are [provided by] what the two Shaykhs have reported in the *Sahihs*. We present to you what Muslim has narrated in his *Sahih* in the chapter on the combination of prayers when at home. He says,

"Yahya b. Yahya reported: 'I read from Malik from b. Abu al-Zubayr from Sa'id b. Jubayr from Ibn 'Abbas [who] said: 'The Prophet of God (P) prayed the *zuhr* and '*asr* prayers together and [he also offered] the *maghrib* and '*isha*' prayers together[33] even though there was neither any fear nor was he travelling.'"

Muslim said: "And Abu Bakr b. Abi Shayba narrated to us that Sufyan b. 'Uyayna reported from 'Amr b. Dinar from Abu Sha'sha' Jabir b. Zayd from Ibn 'Abbas who said: 'I prayed with the Prophet (P) the eight [cycles] (of prayer) together and the seven [cycles] together.' 'Amr b. Dinar said: 'I said: 'O Abu Sha'sha' I think he delayed the *zuhr* and hastened [to pray] the '*asr* and he delayed the *maghrib* and hastened [to pray] the '*isha*,' He (Abu Sha'sha') said: 'I think so too.'"[34] I (the author) say: "They only follow [their] conjectures, and the conjecture does not lead to the truth."

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[33] Perhaps you are aware that their term for combining the prayer means their occurrence together at the time of one [of them] rather than at the other, whether it be *jam' al-taqdim* or *jam' al-ta'khir*. This was the meaning intended by their earlier and later scholars from the [time of the] companions upto today. This is a point of dispute as you have read before.

[34] This tradition has been cited by Ahmad b. Hanbal from a *hadith* of Ibn 'Abbas on page 221 in the first volume of his *Musnad*. On the same page, he also reported, by a different chain of authority, from Ibn 'Abbas. He said: "The Prophet of God (P) prayed, while staying in Medina, not in a state of traveling, the seven and eight cycles together."

Muslim said: "Abu al-Rabi'i al-Zahrani said that Hammad b. Zayd reported from 'Amr b. Dinar from Jabir b. Zayd from Ibn 'Abbas: 'Indeed the Prophet of God (P) prayed in Medina the seven and eight cycles, the *zuhr* and '*asr* and the *maghrib* and the *'isha*' [together].'"[35]

He (Muslim) said: "And Abu al-Rabi'i al-Zahrani told me that Hammad narrated to us from al-Zubayr b. al-Kharit from 'Abd Allah b. Shaqiq who said: 'One day Ibn 'Abbas delivered a sermon to us after the '*asr* [prayer] until the sun had set and the stars had begun to appear. The people started to say: 'The prayer! The prayer!.' He said: 'A man from the Banu Tamim, who was not smiling or inclined [in stature], came to him (Ibn 'Abbas) and said: 'The prayer, the prayer!.' Ibn 'Abbas said: 'Do you teach me the *sunna*, O one who has no mother?' Then he said: 'I saw the Prophet of God (P) combine the *zuhr* and *'asr* and the *maghrib* and '*isha*'.' 'Abd Allah b. Shaqiq said: 'Something about that bothered me, so I came to Abu Hurayra and I asked him about it and he verified his statement.'"[36]

Muslim said: "And Ibn Abi 'Umar told us that Waqi' reported that 'Imran b. Hudayr reported from 'Abd Allah b. Shaqiq al-'Uqayli that a man said to Ibn 'Abbas: 'The prayer!', then he kept quiet. Then he said: 'The prayer!' then he kept quiet. Then he said: 'The prayer!' and he kept quiet. Ibn 'Abbas said: 'You have no mother! Do you teach us about the prayer, we used to combine the two prayers in the time of the Prophet of God (P).'"

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35 Technically, this [way of expressing] is called unregulated folding and unfolding, it is not sequential. It is allowed. If he had said "he prayed the eight and seven" it would have been a regulated [form of expression].

36 The world cares little for Allah, the Almighty, and the family of Muhammad (P). For these people, something [coming] from Ibn 'Abbas bothers them so they ask Abu Hurayra. If only they would act according to the *hadith* even after Abu Hurayra had verified it. This tradition

I (the author) say: Al-Nasai' narrated from 'Amr b. Harm from Abu Sha'sha' that Ibn 'Abbas prayed the *zuhr* and '*asr* in Basra without any interval between them. He did that as he was busy, he reported it from the Prophet (P).[37]

Muslim said that Ahmad b. Yunus and 'Awn b. Salaam both told us from Zuhayr. Ibn Yunus said that Zuhayr narrated that Abu al-Zubayr reported from Sa'id b. Jubayr from Ibn 'Abbas who said: "The Prophet of God (P) prayed the *zuhr* and *'asr* together in Medina when there was neither fear nor [was he] travelling."[38] Abu al-Zubayr said: "I asked Sa'id: 'Why did he do that?' He replied: 'I asked Ibn 'Abbas just as you have asked me. He said: 'He did not wish to impose any difficulty on anyone in his community.'"

Muslim said: "And Abu Bakr b. Abu Shayba and Abu Karib reported to us, they said: 'Abu Mu'awiya, Abu Karib and Abu Sa'id al-Ashaj said (and the words are of Abu Karib) that they (Abu Karib and Abu Sa'id) said that Waqi' and Abu Mu'awiya said, both of them [reporting] from al-A'mash from Habib b. Abu Thabit from Sa'id b. Jubayr from Ibn 'Abbas who said: 'The Prophet of God (P) combined the *zuhr* and *'asr* and the *maghrib* and '*isha*' [prayers] in Medina even though there was neither fear nor rain.'"

He (Muslim) said: "In the tradition of Waqi' he said: 'I asked Ibn 'Abbas: 'Why did he do that'? He said: 'So that he should not [impose a] burden on his community.'" And, [according to] the *hadith* of Abu Mu'awiya, Ibn 'Abbas was asked: "What did he intend by that?" He said: "He did not wish to impose difficulty on his community."

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has also been cited by Ahmad b. Hanbal from Ibn 'Abbas on page 251 in the first volume of his *Musnad.*

[37] As al-Zurqani has reported on the combination of the two prayers in the commentary on *al-Muwatta'* page 263, volume 1.

[38] This tradition has been narrated by Malik in the chapter on the combining of prayer in the *Muwatta'* and by Imam Ahmad in his *Musnad* [on the authority] of Ibn 'Abbas.

Muslim said: “Yahya b. Habib al-Harithi said that Khalid b. al-Hirth said that Qurra b. Khalid said that Abu al-Zubayr told us that Sa‘id b. Jubayr reported that Ibn ‘Abbas said: ‘Indeed the Prophet of God (P) combined the prayers when on a journey he was undertaking in the battle of Tabuk, he combined the *zuhr* and ‘*asr* and the *maghrib* and ‘*isha*.’” Sa‘id said: ‘I asked Ibn ‘Abbas: ‘What made him do that?’ He replied: ‘He did not wish to burden his *umma*.’”

Muslim said: “Yahya b. Habib said that Khalid b. al-Hirth told us that Qurra b. Khalid narrated that Abu al-Zubayr said that ‘Amir b. Wa'ila Abu al-Tufayl reported that Mu‘adh b. Jabal said: ‘In the battle of Tabuk, the Prophet of God (P) combined the *zuhr* and ‘*asr* and the *maghrib* and ‘*isha*’ [prayers].’ He said: ‘I asked: ‘What made him do that?’ He (Mu'adh) said: ‘He did not wish to burden his community.’”

I (the author) say: These authentic traditions are clear as to the reason for the legislation of combining [the prayers] - all [indicate] to give respite to the community, so as not to burden it with separating [the prayers], [thereby] having mercy on the diligent ones who [comprise] most of the people. The last two traditions - the *hadith* of Mu‘adh and the one before it - are not restricted to the specific situation - I mean traveling - since the reason for combining [the prayer] in them (the two traditions) is general. It is not the journey *per se*, nor for sickness, rain, soil and fear *per se.* Rather, it is a general [ruling] which can be applied in any specific case. So it is not restricted to it, rather, it is applicable to all occasions. Due to that, you see that Imam Muslim did not mention the [last] two traditions in the chapter on “combining [the prayer] when travelling,” since they are not restricted to it. Rather, he cited the traditions in the chapter on the “combination [of prayer] when at home” so that they

can be a proof for the permissibility of combining [the prayers] at all times. This is [based upon] his understanding, knowledge, and justice.

His (Muslim's) *sahih hadiths* on this issue and those which you have heard and not heard are all according to the conditions stipulated by al-Bukhari. The transmitters in their *isnads* have all been used by al-Bukhari in his *Sahih*, so I wonder what prevented him (al-Bukhari) from mentioning all of them (the traditions) in his *Sahih*? What led him to reduce them to a negligible portion? Why did he not append a chapter in his book on the combination [of prayer] when at home or when traveling? Given the abundant *sahih hadiths* - according to the conditions stipulated by him - which are available on the combination [of prayers] and given that, on the whole, most of the imams do accept it (the combination), why did he select those traditions on combining which have the least [impact] in pointing to it (the combination of prayer)? Why did he insert them in a chapter which could alter its (intended) meaning? I consider al-Bukhari above and exclude him from being like those who alter words from their intended meanings, or like those who hide the truth even though they may know it.

I present to you what he has selected on this topic and has inserted at an improper place. He says in the chapter on the delaying of the *zuhr* prayer until the [time of] ‘*asr* in the book of the timings of prayers in his *Sahih*:[39] “Abu Nu‘man narrated to us that Hammad b.

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39 Shaykh al-Islam al-Ansari, when he reached this chapter in his commentary - [called] *“the Gift of al-Bukhari,”* commented saying: “That which is appropriate to the tradition [is to insert it under the] chapter: ‘The prayer of *al-zuhr* with *al-‘asr* and the *al-maghrib* with *al-‘isha*.’” He (al-Ansari) said: “The interpretation of that is he finished the first [prayer] and the time of the second one set in and he offered it after the first one, this is opposed to what is apparent [from the tradition]” p. 292, vol. 2 in his commentary. Al-Qastalani said on page 293, vol. 2, in his commentary called “*Irshad al-Sari*.” “His (al-Bukhari’s) interpretation [of the tradition] to mean a non-

Zayd told him from ‘Amr b. Dinar who reported from Jabir b. Zayd on the authority of Ibn ‘Abbas who said: ‘The Prophet (P) prayed in Medina the seven and eight [cycles] of the *zuhr* and *'asr* and the *maghrib* and ‘*isha*.’ Ayyub said: ‘Perhaps it was a rainy night.’ He said: ‘Maybe.’” I (the author) say: they only follow conjectures.

He (al-Bukhari) also reported in the chapter on the time of the *maghrib* from Adam. He said: “Shu‘ba told us: ‘‘Amr b. Dinar reported: ‘I heard Jabir b. Zayd reporting from Ibn ‘Abbas who said: ‘The Prophet (P) prayed the seven [cycles] together and the eight [cycles] together.’”

And he reported with an incomplete chain of transmission (*arsala*) in the chapter on remembering the ‘*isha*’ and darkness from Ibn ‘Umar, Abu Ayyub and Ibn ‘Abbas that the Prophet (P) prayed the *maghrib* and ‘*isha*’ - that is he combined them at the time of one of them at the expense of the other.

This is a very small portion from a large number of authentic traditions on the combination [of prayers] which are sufficient to prove what we maintain, as is obvious. This is supported by what [is reported] from Ibn Mas‘ud when he said: “The Prophet (P) combined - in Medina - the z*uhr* and ‘*asr* and the *maghrib* and ‘*isha*’ and this [fact] was mentioned to him. He (the Prophet) said: “I did this so that my *umma* should not be burdened.” Al-Tabrani has reported this.[40]

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intended combination in that he delayed offering *al-zuhr* to its last time and hastened to offer *al-‘asr* at its first [possible] time is weak as it is opposed to what is apparent [from the *hadith*]”. This is what the majority of their scholars have stated, especially the commentators on the *Sahih* of al-Bukhari, as you will read from the original sources, God willing.

40 As reported in the last [parts] of page 263, volume 1, in the commentary on *al-Muwatta’* by al-Zurqani, he said: “The wish to remove the burden is a rejection of the interpretation of *jam' al-suri*

It is reported from ‘Abd Allah b. ‘Umar when it was said to him: “Did you not see the Prophet (P) combine the *zuhr* and *'asr* and the *maghrib* and *'isha*’ prayers while he was staying [in town], not traveling?” He replied saying: “He did that so as not to impose a burden on his community.”[41]

In short, there are, among all the ‘*ulama'* of the masses, those who say that it is permissible to combine and those who do not say it; they ratify the authenticity of these traditions and their apparent import. This is what we say, that it is allowed [to combine] in all cases. Refer, if you wish, to what they have appended to it so that it may be clear to you.[42]

Yes, they have interpreted the traditions in accordance with their schools of thought. They were bemused by their interpretation, like one who is in the total darkness of the night. It is sufficient for you to note what al-Nawawi has related from them in his comment on these traditions in his commentary on the *Sahih* of Muslim. He says, after considering the apparent meaning in [the traditions of] combining [the prayers] at home: “The ‘*ulama'* have [differing] interpretations and views on this, some of them interpreted the combination [of prayer] due to rain”. (He said): “This is the famous [opinion] from the prominent erstwhile

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(accidental combination) since intending it (*jam‘ al-suri*) does not remove the burden.”

41 You will find the *hadith* on page 242 in volume 4 of *Kanz al-'Ummal,* he inserted it on page 5078, relying on ‘Abd Allah.

42 It is sufficient for you to look at the comments of al-Nawawi in his commentary on the *Sahih* of Muslim and al-Zurqani in his commentary on the *Muwatta’* of Malik; al-‘Asqalani, al-Qastalani and Zakariyya al-Ansari in their commentaries on the *Sahih* of al-Bukhari and all those who have commented on any book of the *Sunan* which include the tradition of Ibn ‘Abbas on the combining of the prayers. They have authenticated them in all the chains of transmissions through which we have narrated from the *Sahih*s of Muslim and al-Bukhari. They have derived from them (the traditions) that it is permissible to combine [prayers] when at home for the sole purpose of saving the *umma* from a burden. I do not know, by God, what made them deviate from this, perhaps it is because they think that this is the view of the *ahl al-bayt*.

scholars (*al-kibar al-mutaqaddimun).*"[43] (Al-Nawawi said): "It (the opinion of the *'ulama'*) is weak due to the second narration *(riwaya*) from Ibn 'Abbas [which states the Prophet (P) prayed together] without fear or rain."[44] (Al-Nawawi said): "Some of them have interpreted that it was due to cloudiness, and that he (the Prophet) prayed the *zuhr* then the clouds cleared and it became apparent to him that the time for the '*asr* prayer had set in so he offered it at that time."[45] (He said): "This is also not valid for [although] it may be remotely possible for the [prayers of] *zuhr* and '*asr*, it is not possible [for it to have occurred] at the [time of] *maghrib* and '*isha*." (Al-Nawawi said): "Among them are those who have interpreted it as referring to the delaying of the first [prayer] to it's latest time for offering it so he offered it at the last [possible] time and when he had finished it (*al-zuhr*) the time for *al-'asr* had entered so he offered it at that time hence, the combination of the two prayers was not intended."[46] (He said): "This is a weak [argument] too or it is invalid as it is completely opposite to that which is apparent, it is not possible [to admit it]." (Al-Nawawi said): "The act of Ibn 'Abbas when delivering a sermon and the fact that people called out to him 'the prayer! the prayer!' and his not paying heed to them, his deriving proof from a *hadith* to justify his act of delaying the *maghrib* to the time of '*isha*' and his combining them at the

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43 Like the two Imams Malik and al-Shafi'i and a group of the people of Medina.

44 It is completely far from the words [uttered], there is no indication of it whatsoever.

45 This is a conjecture, a fabrication and [an act of] throwing stones in the dark.

46 You know that Abu Hanifa and his companions interpreted the authentic traditions on combining [prayers] when at home and traveling as referring to *jam' al-suri*. They have prohibited the combination at all times. This is absolutely strange from them. For us, our debates

time of the second [prayer] (‘*isha*’) and Abu Hurayra's verification of him and his not disapproving it is clear in refuting this interpretation.”

I say: Ibn ‘Abd al-Barr and al-Khattabi and others have refuted him, saying that the combination is a dispensation (*rukhsa*). If it (the combination) is not intended then it would be most difficult to undertake every prayer at its [specified] time since the beginning and end of the [prayer] times are things which many specialists are not aware of, let alone the general masses. (They said): “Among the proofs that the combination is a dispensation is the saying of Ibn ‘Abbas: ‘He did not wish to impose a burden on his community.’” (They said): “Also, the clear reports on the combination of two mandatory [prayers] is only to undertake them together at the time [assigned] for one of them rather than the other, either by bringing forward (*al-taqdim*) the second one from its appointed time and offering it with the first one at it’s time or by delaying the first one from it’s appointed time to the time of the second one and offering them together at that time.” (They said): “This is what immediately comes to mind by the general usage of the word combining (*al-jam‘*) in all the *sunna*, and this is the point of dispute.”

(Al-Nawawi said): “Among them are those who have interpreted [the traditions] claiming that the combination was due to an excuse like sickness or something like it in meaning.” (He said): “This is the view of Ahmad b. Hanbal and the Qadi Husayn among our companions. Al-Khattabi, al-Mutawalli and al-Ruwyani from our companions have [also] chosen it and this is the chosen interpretation as it is the apparent [meaning] of the traditions.”

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and discussions with a number of their prominent scholars are sufficient [to prove our point]. You will read their views.

I say: There is no apparent [meaning] in the traditions and no remote proof for it, it is an arbitrary judgement as al-Qastalani in his commentary on the *Sahih* of al-Bukhari has admitted.[47]

Some of the eminent scholars have followed it up by saying: “It has been stated that the combination [of prayers] was due to illness,” al-Nawawi has supported this view. However, there is an objection to it since if the [prayers] were combined for illness then only those who were ill would have prayed with him (the Prophet). It is apparent that he (P) combined [the prayers] with his companions, this is what Ibn ‘Abbas clearly announced in a tradition which has been established from him.[48]

I say: When the authentic traditions on combining [the prayers] do not have an interpretation which the ‘*ulama* [uniformly] accept, a group of the masses have reverted to a position which is close to our opinion on the issue though they did not [even] intend to do so. Al-Nawawi mentioned them after [citing their] false interpretations as you have read. He further states: “A group of the imams have allowed the combining of prayers when at home for a need if one does not become habituated to it (the combination). This is the view of Ibn Sirrin and Ashhab among the companions of Malik. Al-Khattabi has reported it from al-Qaffal al-Shashi al-Kabir from the companions of al-Shafi‘i, and from Ibn Ishaq al-Maruzi and from a group of *hadith* transmitters. Ibn al-Munzir has [also] chosen this opinion.” Al-

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47 See his commentary called *Irshad al-Sari,* the chapter on delaying the *zuhr* to the [time of] the *'asr.* You will find on page 293 in volume 2 these words: “He interpreted it, i.e., the *hadith* of Ibn ‘Abbas, to combining the prayer at home - some of them to combining when ill.” Al-Nawawi reinforced this and followed it by saying that this is contrary to what is apparent from the *hadith* and his restricting it (the combination of prayers) to it (when ill) is giving preponderance to a view without any justification.

Nawawi [further] said: “This view is supported by the apparent [meaning] of Ibn ‘Abbas’ saying: ‘He did not wish to burden his community’, he was not afflicted by sickness or by anything else, and God knows this matter best.”[49] More than one of their prominent scholars have stated this.[50] Perhaps in this era, their researchers are in agreement with our views, as more than one of them have told me. However, they do not dare to openly declare that to the public. Perhaps caution prevents them [from doing that]. There is no difference of opinion on separating the prayer, it is better [to separate] as opposed to combining where there is a difference of opinion. However, it has escaped their notice that separating [the prayers] could lead to many busy people abandoning the prayer as we have sometimes seen whereas combining [the prayers] is the best [solution] to ensuring it is undertaken. Therefore, it is more prudent for the jurists to issue a juridical verdict to the people to combine [the prayers] and they should make things easy, not difficult - for Allah wishes ease not hardship for you - He has not made religion a burden for you. The proof that combining [the prayer] is permissible at all times is available, thanks be to God, it is a correct *sunna*, enunciated as you have read. Rather, it is a clear, written and fixed prescription. Do not be inattentive, I will relate to you the clear [verses] so that it will become clear that the times of the obligatory

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48 Refer to page 263 in volume 1 of the commentary on Malik's *al-Muwatta’* by al-Zurqani in the chapter on combining the prayers.

49 On page 455 in the 4th volume in his commentary on the published *Sahih* of Muslim and in the footnotes of *Irshad al-Sari* and *Tuhfa al-Bari,* the two commentaries on the *Sahih* of al-Bukhari. There is no doubt about al-Nawawi's inclination towards this view at the end of his speech when he supported him by citing Ibn ‘Abbas' statement. He commented on Ibn ‘Abbas statement: “He was not afflicted by sickness or anything else” the last part of his speech is defective due to his interpretation.

50 Like al-Zurqani in his commentary on *al-Muwatta’* and all those who commented on the *hadith* of Ibn ‘Abbas on the combination of two prayers among the commentators on the *Sihah* and *Sunan* like al-‘Asqalani, al-Qastalani and others.

prayers are only three: the time of the two obligatory prayers, *al-zuhr* and *al-'asr*, which are shared between them, and time of the two obligatory prayers *al-maghrib* and *al-'isha'* which are also shared between them and the third is the obligatory morning prayer especially fixed; so hear it and be attentive. (Undertake the prayer at the time of the declining sun to the darkness of the night and the morning recitation; for indeed the morning recitation is witnessed 17:78).

Imam Razi has said about it's interpretation in the chapter of *Isra'* (chapter 17) page 428 in the fifth volume of his *Tafsir al-Kabir*: "If we interpret the *ghasaq* (darkness) as being the time when darkness first appears then the [term] *ghasaq* refers to the beginning of *al-maghrib*.[51] On this basis, three timings are mentioned in the verse: "the time of noon, the time of the beginning of *al-maghrib* and the time of *al-fajr*." (Al-Razi said): "This requires that noon be the time of *al-zuhr* and *al-'asr*, this time is shared between these two prayers. The time of the beginning of *al-maghrib* is the time for *al-maghrib* and *al-'isha'* so this time is also shared between these two prayers." (He said): "This requires allowing the combining between *al-zuhr* and *al-'asr* and between *al-maghrib* and al-'*isha*' at all times."[52] (Al-Razi said): "However, there is proof to indicate that combining [the prayer] while at home without

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[51] Concerning this verse, this meaning has been transmitted by al-Razi in his *Tafsir al-Kabir* from Ibn 'Abbas and 'Ata' and al-Nazr b. Shamil. Imam al-Tabarsi has narrated it in his *Majma' al-Bayan* from Ibn 'Abbas and Qatada.

[52] If we interpret *al-ghasaq* as the accumulation of darkness and its intensity [as referring] to the middle of the night - as is reported from al-Sadiq, (P) - then the times of the four obligatory prayers - the *zuhr*, *'asr, maghrib* and *'isha'* extend from noon to the middle of the night. So the *zuhr* and *'asr* share the time from noon to sunset except that the *zuhr* comes before the *'asr.* The *maghrib and 'isha* share the time from sunset to the middle of the night except that the *maghrib* comes before the *'isha'*. As for the morning obligation, Allah has specified for it a commendable time saying: "And the morning recitation, for the morning recitation is witnessed."

any excuse is not allowed. This leads [to the view] that the combining be allowed when traveling or [when there is] rain etc..”

I say: We have examined the discussion on what he has mentioned concerning the proofs that combining [the prayer] while at home without any excuse is not allowed and we have not found - God is our witness - a trace or relic for it. Yes, the Prophet (P) used to combine [the prayer] when he had an excuse just as he used to combine when there was no excuse so that his community would not be burdened. There is no dispute that the separation [of prayer] is better therefore the Prophet of God (P) would prefer it except when there was an excuse as was his habit in all the recommended [practices], peace be upon him and his family.

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